

178 #9



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Washington, D.C. 20231
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Application Number	Filing Date	First Named Applicant	Atty. Docket No.
09/918,610	07/30/2001	Novak, Robert	10003.000300 (digeo 132)

32641
DIGEO, INC C/O STOEL RIVES LLP
201 SOUTH MAIN STREET, SUITE 1100
ONE UTAH CENTER
SALT LAKE CITY UT 84111

Title: System and method for using user-specific information to configure and enable functions in
remote control, broadcast and interactive systems

Date Mailed:06/27/2002

Request for Substitute Papers

The papers filed on 01/16/02 (certificate of mailing dated 11/20/01) are no longer in condition to become part of the permanent records of the United States Patent and Trademark Office (USPTO) for this application (37 CFR 1.52(a)) due to the United States Postal Service sanitization process.

The USPTO requests that applicant provide a copy of the above-identified papers (except for any U.S. or foreign patent documents submitted with the above-identified papers) with a statement that such copy is a complete and accurate copy of the above-identified papers (signing and returning a copy of this notice will provide such a statement). The reply to this letter should be submitted to the USPTO by facsimile at the number indicated ~~703-746-4060(OIPE)~~ 703-746-9195

Alternatively, the reply to this letter may be hand-carried to the Customer Service Window located in Room 1B03 of Crystal Plaza Building 2, Arlington, Virginia, 22202.

The USPTO **strongly** prefers that the reply to this letter be submitted by facsimile. However, if applicant cannot submit the reply to this letter by facsimile (or hand-delivery), the reply may be mailed to: Box Duplicate OIPE, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202-2327.

This letter is not a notice under 37 CFR 1.251. However, failure to timely replay to this notice within two (2) weeks of the date of receipt of this letter may result in the USPTO issuing a notice under 37 CFR 1.251. A copy of this notice should be included with the reply.

The enclosed papers are a complete and accurate copy of the above-identified papers.

Name: Kory Christensen Registration No.: 43,548

Signature: [Signature] Date: 7-9-02

RECEIVED

JUL 8 2002

Stoel Rives S.L.C.

Date Mailed: November 20, 2001 | By: AMD/jvm | PTO DATE STAMP:
Serial No.: 08/918,610 | Docket No.: 10003.000300 (dgeo 132)
Applicant(s): James A. Billmeyer, Donald P. De Leva, and Robert E. Novak
Title: System and Method For Using User-Specific Information To Configure and Enable Functions In Rem Control, Broadcast and Interactive Systems

The following has been received in the U.S. Patent Office on the date stamped hereon:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Transmittal Form | <input checked="" type="checkbox"/> Letter to the Official Draftsperson |
| <input checked="" type="checkbox"/> Drawings formal 14 Sheets (Figs. 1, 2A, 2B, 3, 4, 5, 6, 7, 8A, 8B, 8C, 9, 10A, 10B) | <input type="checkbox"/> Petition for Extension of Time |
| <input checked="" type="checkbox"/> Response to Notice to File Missing Parts of Nonprovisional Application | |
| <input checked="" type="checkbox"/> Oath/Declaration | <input type="checkbox"/> Utility patent application transmittal |
| <input checked="" type="checkbox"/> Declaration (supplemental sheet) | <input checked="" type="checkbox"/> Fee Transmittal (in duplicate) |
| <input checked="" type="checkbox"/> Power of Attorney | <input checked="" type="checkbox"/> Power of Attorney |
| <input checked="" type="checkbox"/> Revocation of Power of Attorney | |
| <input type="checkbox"/> Verified Statement Claiming Small Entity Status | <input type="checkbox"/> Appeal Brief (in triplicate) |
| <input checked="" type="checkbox"/> Check No. 003920 for \$ 1299.00 | <input checked="" type="checkbox"/> Check No. 1050 for \$ 110.00 |
| <input checked="" type="checkbox"/> Other: A copy of Notice to File Missing Parts of Nonprovisional Application | |
| <input type="checkbox"/> Express Mail Label No. | |

DIGEO, INC
8815-122nd Avenue NE
Kirkland, WA 98033

BANK OF AMERICA
Bank of America
Seattle, WA 98104
19-2-1258

003920

Date 02 Nov 2001

Pay Amount \$1,299.00***

Pay

ONE THOUSAND TWO HUNDRED NINETY-NINE AND XX/100 US DOLLAR***

To The
Order Of

COMMISSIONER FOR PATENTS
USPTO
Washington, DC 20231

James A. Bolman
Authorized Signature

⑈003920⑈ ⑆125000024⑆ 69054104⑈

DEGUZMAN OKAMOTO & BENEDICTO LLP 08-01
2672 BAYSHORE PARKWAY, SUITE 509
MOUNTAIN VIEW, CA 94043

WELLS FARGO BANK, N.A.
STANFORD INDUSTRIAL PARK
505 CALIFORNIA AVENUE
PALO ALTO, CA 94306
11-4288/1210

1050

11/19/2001

PAY TO THE
ORDER OF Commissioner for Patents

\$110.00

One Hundred Ten and 00/100*****

DOLLARS ⑆

Commissioner for Patents

MEMO

PTO# 09/918,610, docket# 10003.000300

⑈001050⑈ ⑆121042882⑆ 2246813998⑈

PTO/SB/21 (08-00)


Please type a plus sign (+) inside this box → ☒


Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/918,610	
	Filing Date	July 30, 2001	
	First Named Inventor	James A. Billmaier	
	Group Art Unit	2611	
	Examiner Name	not yet known	
Total Number of Pages in This Submission	35	Attorney Docket Number	10003.000300 (digeo 132)

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Corrected Drawing(s) <input checked="" type="checkbox"/> A copy of the Notice to File Missing Parts <input checked="" type="checkbox"/> Signed Declaration <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney & Revocation of Power of Attorney <input checked="" type="checkbox"/> Letter to the Official Draftsperson <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below). Return receipt postcard; Declaration (supplemental sheet)
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Arnold M. deGuzman, Reg. No. 39,955 DEGUZMAN OKAMOTO & BENEDICTO, LLP	
Signature		
Date	November 20, 2001	

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 11/20/01			
Typed or printed name	Arnold M. deGuzman		
Signature		Date	Nov. 20, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/17 (11-00)
 Applicable for use through 10/31/2002. OMB 0651-0032
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

Application Number	09/918,610
Filing Date	July 30, 2001
First Named Inventor	James A. Billmaier
Examiner Name	not yet known
Group / Art Unit	2611
Attorney Docket No.	10003.000300 (diag 132)

TOTAL AMOUNT OF PAYMENT (\$) 1409.00

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																		
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number: 50-2030 Deposit Account Name: deGuzman Okamoto & Benedicto, LLP <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.18 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>130</td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>110</td> </tr> <tr> <td>116</td> <td>400</td> <td>216</td> <td>230</td> <td></td> </tr> <tr> <td>117</td> <td>920</td> <td>217</td> <td>460</td> <td></td> </tr> <tr> <td>118</td> <td>1,440</td> <td>218</td> <td>720</td> <td></td> </tr> <tr> <td>128</td> <td>1,960</td> <td>228</td> <td>980</td> <td></td> </tr> <tr> <td>119</td> <td>320</td> <td>219</td> <td>160</td> <td></td> </tr> <tr> <td>120</td> <td>320</td> <td>220</td> <td>160</td> <td></td> </tr> <tr> <td>121</td> <td>280</td> <td>221</td> <td>140</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td></td> </tr> <tr> <td>141</td> <td>1,260</td> <td>241</td> <td>640</td> <td></td> </tr> <tr> <td>142</td> <td>1,260</td> <td>242</td> <td>640</td> <td></td> </tr> <tr> <td>143</td> <td>460</td> <td>243</td> <td>230</td> <td></td> </tr> <tr> <td>144</td> <td>620</td> <td>244</td> <td>310</td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td></td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td></td> </tr> <tr> <td>125</td> <td>180</td> <td>125</td> <td>180</td> <td></td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40</td> <td></td> </tr> <tr> <td>146</td> <td>740</td> <td>246</td> <td>370</td> <td></td> </tr> <tr> <td>149</td> <td>740</td> <td>249</td> <td>370</td> <td></td> </tr> <tr> <td>179</td> <td>740</td> <td>278</td> <td>370</td> <td></td> </tr> <tr> <td>169</td> <td>900</td> <td>169</td> <td>900</td> <td></td> </tr> </tbody> </table>		Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	130	127	50	227	25		139	130	139	130		147	2,520	147	2,520		112	920*	112	920*		113	1,840*	113	1,840*		115	110	215	55	110	116	400	216	230		117	920	217	460		118	1,440	218	720		128	1,960	228	980		119	320	219	160		120	320	220	160		121	280	221	140		138	1,510	138	1,510		140	110	240	55		141	1,260	241	640		142	1,260	242	640		143	460	243	230		144	620	244	310		122	130	122	130		123	50	123	50		125	180	125	180		581	40	581	40		146	740	246	370		149	740	249	370		179	740	278	370		169	900	169	900	
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SUBMITTED BY		Complete if applicable			
Name (Print/Type)	Arnold M. deGuzman	Registration No. Attorney/Agent	39,955	Telephone	650-691-2030
Signature		Date	November 20, 2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Received from < 801 578 6999 > at 7/9/02 10:37:37 AM [Eastern Daylight Time]

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: James A. Billmaier, Donald P. De Leva, and Robert E. Novak	Examiner: not yet known
Serial No.: 09/918,610	Art Unit: 2611
Filed: July 30, 2001	Atty. Docket No.: 10003.000300 (digeo 132)
Title: System and Method For Using User-Specific Information To Configure and Enable Functions In Remote Control, Broadcast and Interactive Systems	

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION

Sir:

In response to the Notice to File Missing Parts of
Nonprovisional Application dated September 6, 2001 for the
above-identified patent application,

☒ Enclosed are the following:

☒ A copy of the Notice to File Missing Parts of
Nonprovisional Application;

☒ An original, signed Declaration;

In re James A. Billmaier, et al.
U.S. Appl. No. 09/918,610

1

PATENT

☒ A Revocation of Power of Attorney or
Authorization of Agent;

☒ A Power of Attorney or Authorization of Agent;

☒ Payment in the amount of \$1,409 to cover
payment for the surcharge and other fees (\$1,299) and
payment for a one-month extension of time fee for the
response (\$110);

☒ Corrected Drawings;

☒ Letter to Official draftsman;

Submission Of Deficiency Payment Under 37 C.F.R. 1.28

Applicants respectfully request that the previous
erroneous payment of a small entity fee for the above-
referenced application be excused.

In compliance with the requirements of 37 C.F.R.
1.28(c)(1) and (c)(2), Applicants submit herewith the
following: (1) payment of the deficiency owed as a result of
the previous erroneous payment of small entity fees, and (2)
an itemization of the total deficiency payment.

Calculation of the deficiency owed:

PATENT

Applicants submit herewith payment in the amount of \$1,169.00, which is the total deficiency payment owed, in accordance with 37 C.F.R. 1.28(c)(2)(i).

Itemization of the deficiency payment:

Applicants list below an itemization of the total deficiency payment in accordance with 37 C.F.R. 1.28(c)(2)(ii).

(A) Each particular type of fee that was erroneously paid as a small entity, along with the current fee amount for a non-small entity:

(1) Fee amount for a utility application basic filing fee that was erroneously paid as a small entity: \$355.00. Current fee amount for a non-small entity utility application basic filing fee: \$740.00.

(2) Fee amount for 68 total claims (48 claims in excess of 20) that was erroneously paid as a small entity: \$432. Current fee amount for a non-small entity for 68 total claims: \$864.

(3) Fee amount for 11 independent claims (8 claims in excess of 3) that was erroneously paid as a small entity: \$320. Current fee amount for a non-small entity for 11 independent claims: \$672.

PATENT

(B) The small entity fee actually paid and when:
\$1107.00 paid on July 30, 2001.

(C) The deficiency owed amount (for each fee erroneously paid):

(1) Deficiency owed amount for the utility application basic filing fee: \$385.

(2) Deficiency owed amount for 68 total claims:
\$432.

(3) Deficiency owed amount for 11 independent claims: \$352.

(D) The total deficiency payment owed, which is the sum or total of the individual deficiency owed amounts set forth above in (C): \$1,169.00.

In accordance with 37 C.F.R. 1.28(c), Applicants further assert that status as a small entity was established in good faith and fees as small entity were paid in good faith, and it was later discovered that such status as a small entity was established in error.

Applicant hereby petitions for a one-month extension of time within which to reply to the Notice To File Missing Parts mailed on September 6, 2001. Enclosed herewith is the payment of \$110 for the extension fee. If an additional


PATENT

extension of time is required, please consider this a petition therefore. If any additional fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 50-2030.

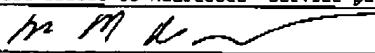
If the Examiner has any questions or needs additional information, the Examiner is invited to contact the undersigned attorney at (650) 691-2030.

Dated: November 20, 2001

Respectfully submitted,
JAMES A. BILLMAIER, et al.

By: 
Arnold M. de Guzman
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(650) 691-2030
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Enclosure(s)

CERTIFICATE OF MAILING			
I hereby certify that this correspondence, including the enclosures identified herein, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.			
Signature:	<u></u>		
Type or Printed Name:	Arnold M. de Guzman	Dated:	<u>Nov. 20, 2001</u>
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/918.610	07/30/2001	James A. Billmaier	52126.00003 (Diego 132)

CONFIRMATION NO. 5259

FORMALITIES LETTER



OC00000006519813

Paul A. Durdik
Squire, Sanders & Dempsey LLP
600 Hansen Way
Palo Alto, CA 94304

Date Mailed: 09/06/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

07/09/2002 08:30 FAX 801 578 6999

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